

# EXHIBIT E-2

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ALPHABET INC., GOOGLE LLC, and LOON LLC

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

SPACE DATA CORPORATION,

Plaintiff,

v.

ALPHABET INC., GOOGLE LLC, and  
LOON LLC,

Defendants.

Case No. 5:16-cv-03260-BLF

**DEFENDANTS' PROPOSED VERDICT  
FORM**

Judge: Hon. Beth Labson Freeman

Date Filed: June 13, 2016

Trial Date: August 5, 2019

When answering the following questions and filling out this Verdict Form, please follow the directions provided throughout the form. Your answer to each question must be unanimous. Some of the questions contain legal terms that are defined and explained in detail in the Jury Instructions. Please refer to the Jury Instructions if you are unsure about the meaning or usage of any legal term that appears in the questions below.

**YOUR ANSWERS MUST BE UNANIMOUS****Breach of Contract**

1. Has Space Data proven that it followed the procedures in Section 2 of the Mutual Confidentiality and Nondisclosure Agreement (“NDA”) to appropriately identify the following Asserted Trade Secrets (“ATS”)<sup>1</sup> as “Confidential Information”?

	YES	NO		YES	NO
ATS 1:	_____	_____	ATS 12:	_____	_____
ATS 2:	_____	_____	ATS 13:	_____	_____
ATS 3:	_____	_____	ATS 14:	_____	_____
ATS 4:	_____	_____	ATS 15:	_____	_____
ATS 5:	_____	_____	ATS 16:	_____	_____
ATS 6:	_____	_____	ATS 17:	_____	_____
ATS 7:	_____	_____	ATS 18:	_____	_____
ATS 8:	_____	_____	ATS 19:	_____	_____
ATS 9:	_____	_____	ATS 20:	_____	_____
ATS 10:	_____	_____	ATS 21:	_____	_____
ATS 11:	_____	_____	ATS 22:	_____	_____

If you answered “YES” as to any Asserted Trade Secret in Question 1, please answer Question 2.

If you answered “NO” as to every Asserted Trade Secret in Question 1, please go to the end of this verdict form and sign and date it.

<sup>1</sup> For a full description of each Asserted Trade Secret (“ATS”), please reference the List of Space Data’s Asserted Trade Secrets provided with the Jury Instructions.

2. Only with respect to any Asserted Trade Secret for which you answered “YES” in Question 1, has Space Data proven that Google used that Asserted Trade Secret in violation of the NDA?

	YES	NO		YES	NO
ATS 1:	_____	_____	ATS 12:	_____	_____
ATS 2:	_____	_____	ATS 13:	_____	_____
ATS 3:	_____	_____	ATS 14:	_____	_____
ATS 4:	_____	_____	ATS 15:	_____	_____
ATS 5:	_____	_____	ATS 16:	_____	_____
ATS 6:	_____	_____	ATS 17:	_____	_____
ATS 7:	_____	_____	ATS 18:	_____	_____
ATS 8:	_____	_____	ATS 19:	_____	_____
ATS 9:	_____	_____	ATS 20:	_____	_____
ATS 10:	_____	_____	ATS 21:	_____	_____
ATS 11:	_____	_____	ATS 22:	_____	_____

If you answered “YES” as to any Asserted Trade Secret in Question 2, please answer Question 3.

If you answered “NO” as to every Asserted Trade Secret in Question 2, please go to the end of this verdict form and sign and date it.

3. Only with respect to any Asserted Trade Secret for which you answered “YES” in Question 2, has Space Data proven that Google’s use of that Asserted Trade Secret in violation of the NDA was a substantial factor in causing Space Data harm?

	YES	NO		YES	NO
ATS 1:	_____	_____	ATS 12:	_____	_____
ATS 2:	_____	_____	ATS 13:	_____	_____
ATS 3:	_____	_____	ATS 14:	_____	_____
ATS 4:	_____	_____	ATS 15:	_____	_____
ATS 5:	_____	_____	ATS 16:	_____	_____
ATS 6:	_____	_____	ATS 17:	_____	_____
ATS 7:	_____	_____	ATS 18:	_____	_____
ATS 8:	_____	_____	ATS 19:	_____	_____
ATS 9:	_____	_____	ATS 20:	_____	_____
ATS 10:	_____	_____	ATS 21:	_____	_____
ATS 11:	_____	_____	ATS 22:	_____	_____

**Please go to Question 4.**

**Misappropriation of Trade Secrets**

4. Only with respect to any Asserted Trade Secret for which you answered “YES” in Question 1, has Space Data proven that the Asserted Trade Secret qualifies as a trade secret under California law (*i.e.*, the California Uniform Trade Secrets Act)?

	YES	NO		YES	NO
ATS 1:	_____	_____	ATS 12:	_____	_____
ATS 2:	_____	_____	ATS 13:	_____	_____
ATS 3:	_____	_____	ATS 14:	_____	_____
ATS 4:	_____	_____	ATS 15:	_____	_____
ATS 5:	_____	_____	ATS 16:	_____	_____
ATS 6:	_____	_____	ATS 17:	_____	_____
ATS 7:	_____	_____	ATS 18:	_____	_____
ATS 8:	_____	_____	ATS 19:	_____	_____
ATS 9:	_____	_____	ATS 20:	_____	_____
ATS 10:	_____	_____	ATS 21:	_____	_____
ATS 11:	_____	_____	ATS 22:	_____	_____

**Please go to Question 5.**

5. Only with respect to the Asserted Trade Secrets for which you answered “YES” in Question 4, has Google proven that the Asserted Trade Secret is readily ascertainable through proper means under California law?

	YES	NO		YES	NO
ATS 1:	_____	_____	ATS 12:	_____	_____
ATS 2:	_____	_____	ATS 13:	_____	_____
ATS 3:	_____	_____	ATS 14:	_____	_____
ATS 4:	_____	_____	ATS 15:	_____	_____
ATS 5:	_____	_____	ATS 16:	_____	_____
ATS 6:	_____	_____	ATS 17:	_____	_____
ATS 7:	_____	_____	ATS 18:	_____	_____
ATS 8:	_____	_____	ATS 19:	_____	_____
ATS 9:	_____	_____	ATS 20:	_____	_____
ATS 10:	_____	_____	ATS 21:	_____	_____
ATS 11:	_____	_____	ATS 22:	_____	_____

**Please go to Question 6.**

6. Only with respect to any Asserted Trade Secret for which you answered “YES” in Question 1, has Space Data proven that the Asserted Trade Secret qualifies as a trade secret under federal law (*i.e.*, the Defend Trade Secrets Act)?

	YES	NO		YES	NO
ATS 1:	_____	_____	ATS 12:	_____	_____
ATS 2:	_____	_____	ATS 13:	_____	_____
ATS 3:	_____	_____	ATS 14:	_____	_____
ATS 4:	_____	_____	ATS 15:	_____	_____
ATS 5:	_____	_____	ATS 16:	_____	_____
ATS 6:	_____	_____	ATS 17:	_____	_____
ATS 7:	_____	_____	ATS 18:	_____	_____
ATS 8:	_____	_____	ATS 19:	_____	_____
ATS 9:	_____	_____	ATS 20:	_____	_____
ATS 10:	_____	_____	ATS 21:	_____	_____
ATS 11:	_____	_____	ATS 22:	_____	_____

If you answered “YES” as to any Asserted Trade Secret in Questions 4 or 6, please answer Question 7.

If you answered “YES” as to any Asserted Trade Secret in Question 3, but answered “NO” as to every Asserted Trade Secret in Questions 4 and 6, please go to Question 11.

If you answered “NO” as to every Asserted Trade Secret in Questions 3, 4, and 6, please go to the end of this verdict form and sign and date it.



7. Only with respect to any Asserted Trade Secret for which you answered “YES” in Questions 4 or 6, and excluding any Asserted Trade Secrets for which you answered “YES” in Question 5, has Space Data proven that Google misappropriated the Asserted Trade Secret through improper use?

	YES	NO		YES	NO
ATS 1:	_____	_____	ATS 12:	_____	_____
ATS 2:	_____	_____	ATS 13:	_____	_____
ATS 3:	_____	_____	ATS 14:	_____	_____
ATS 4:	_____	_____	ATS 15:	_____	_____
ATS 5:	_____	_____	ATS 16:	_____	_____
ATS 6:	_____	_____	ATS 17:	_____	_____
ATS 7:	_____	_____	ATS 18:	_____	_____
ATS 8:	_____	_____	ATS 19:	_____	_____
ATS 9:	_____	_____	ATS 20:	_____	_____
ATS 10:	_____	_____	ATS 21:	_____	_____
ATS 11:	_____	_____	ATS 22:	_____	_____

**If you answered “YES” as to any Asserted Trade Secret in Question 7, please answer Question 8.**

**If you answered “NO” as to every Asserted Trade Secret in Question 7, but answered “YES” as to any Asserted Trade Secret in Question 3, please go to Question 11.**

**If you answered “NO” as to every Asserted Trade Secret in Questions 3 and 7, please go to the end of this verdict form and sign and date it.**

8. Only with respect to any Asserted Trade Secret for which you answered “YES” in Question 7, has Space Data proven that at least one instance of Google’s misappropriation of the Asserted Trade Secret through improper use occurred on or after May 11, 2016?

	YES	NO		YES	NO
ATS 1:	_____	_____	ATS 12:	_____	_____
ATS 2:	_____	_____	ATS 13:	_____	_____
ATS 3:	_____	_____	ATS 14:	_____	_____
ATS 4:	_____	_____	ATS 15:	_____	_____
ATS 5:	_____	_____	ATS 16:	_____	_____
ATS 6:	_____	_____	ATS 17:	_____	_____
ATS 7:	_____	_____	ATS 18:	_____	_____
ATS 8:	_____	_____	ATS 19:	_____	_____
ATS 9:	_____	_____	ATS 20:	_____	_____
ATS 10:	_____	_____	ATS 21:	_____	_____
ATS 11:	_____	_____	ATS 22:	_____	_____

**Please go to Question 9.**

9. Only with respect to any Asserted Trade Secret for which you answered “YES” in Question 7, has Space Data proven that Google’s misappropriation of the Asserted Trade Secret through improper use occurred within three (3) years of the date that Space Data first disclosed that Asserted Trade Secret to Google?

	YES	NO		YES	NO
ATS 1:	_____	_____	ATS 12:	_____	_____
ATS 2:	_____	_____	ATS 13:	_____	_____
ATS 3:	_____	_____	ATS 14:	_____	_____
ATS 4:	_____	_____	ATS 15:	_____	_____
ATS 5:	_____	_____	ATS 16:	_____	_____
ATS 6:	_____	_____	ATS 17:	_____	_____
ATS 7:	_____	_____	ATS 18:	_____	_____
ATS 8:	_____	_____	ATS 19:	_____	_____
ATS 9:	_____	_____	ATS 20:	_____	_____
ATS 10:	_____	_____	ATS 21:	_____	_____
ATS 11:	_____	_____	ATS 22:	_____	_____

If you answered “YES” as to any Asserted Trade Secret in Question 9, please answer Question 10.

If you answered “NO” as to every Asserted Trade Secret in Question 9, but answered “YES” as to any Asserted Trade Secret in Question 3, please go to Question 11.

If you answered “NO” as to every Asserted Trade Secret in Questions 3 and 9, please go to the end of this verdict form and sign and date it.

10. Only with respect to any Asserted Trade Secret for which you answered “YES” in Question 9, has Space Data proven that Google’s misappropriation of the Asserted Trade Secret through improper use was a substantial factor in causing Google to be unjustly enriched?

	YES	NO		YES	NO
ATS 1:	_____	_____	ATS 12:	_____	_____
ATS 2:	_____	_____	ATS 13:	_____	_____
ATS 3:	_____	_____	ATS 14:	_____	_____
ATS 4:	_____	_____	ATS 15:	_____	_____
ATS 5:	_____	_____	ATS 16:	_____	_____
ATS 6:	_____	_____	ATS 17:	_____	_____
ATS 7:	_____	_____	ATS 18:	_____	_____
ATS 8:	_____	_____	ATS 19:	_____	_____
ATS 9:	_____	_____	ATS 20:	_____	_____
ATS 10:	_____	_____	ATS 21:	_____	_____
ATS 11:	_____	_____	ATS 22:	_____	_____

If you answered “YES” as to any Asserted Trade Secret in Questions 3 or 10, please answer Question 11.

If you answered “NO” as to every Asserted Trade Secret in Questions 3 and 10, please go to the end of this verdict form and sign and date it.

11. Only with respect to any Asserted Trade Secret for which you answered “YES” in Question 3 or in Question 10, state the amount of damages Space Data is entitled to recover for Space Data’s harm or Google’s unjust enrichment:

ATS 1:	_____	ATS 12:	_____
ATS 2:	_____	ATS 13:	_____
ATS 3:	_____	ATS 14:	_____
ATS 4:	_____	ATS 15:	_____
ATS 5:	_____	ATS 16:	_____
ATS 6:	_____	ATS 17:	_____
ATS 7:	_____	ATS 18:	_____
ATS 8:	_____	ATS 19:	_____
ATS 9:	_____	ATS 20:	_____
ATS 10:	_____	ATS 21:	_____
ATS 11:	_____	ATS 22:	_____
TOTAL	_____		

**PLEASE SIGN AND DATE BELOW.**

\_\_\_\_\_  
**Date:** \_\_\_\_\_

**Presiding Juror**